

REMARKS

Revocation of Power of Attorney

Applicant is enclosing herewith a Revocation of Power of Attorney and Appointment of New Attorney naming BRUCE H. TROXELL as attorney of record in this patent application. It is requested that all further correspondence regarding this matter be forwarded to TROXELL LAW OFFICE PLLC at the address listed on the enclosed form. A CHANGE OF ADDRESS FORM is also being submitted herewith.

Claim Rejections

Claims 1 and 2 are rejected under 35 U.S.C. § 112, second paragraph. Claims 1 and 2 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lin (U.S. '114) in view of Jore (U.S. '654) and further in view of Fan-Chiang (U.S. 2004/0164503). Claim 1 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Wang (U.S. '384) in view of Jore and further in view of Fan-Chiang.

Drawings

It is noted that the Examiner has accepted the drawings as originally filed with this application.

New Claims

By this Amendment, Applicant has canceled claims 1 and 2 and has added new claims 3 and 4 to this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. §112, and define subject matter that is patentably distinguishable over the cited prior art, taken individually or in combination.

The new claims are directed toward a coupling tube for a screwdriver head (80) comprising: a main body (20) with a cylindrical shape and having: an engaging seat (21) located on a first end thereof and having an internal hole (211) and an external annular slot (23) communicating with the internal hole, the screwdriver head is removably inserted into the internal hole; an engaging element ((70)) inserted into

the external annular slot and being a semicircular ring having an engaging face protruding into the internal hole and selectively engaging a V-shaped indentation in the screwdriver head; an insertion rod (22) connected to a second end thereof; a first engaging annular slot (24) located in a middle of the main body; a first engaging ring (50) inserted into the first engaging annular slot; a second engaging annular slot (25) located between the first engaging annular slot and the insertion rod, the first engaging annular slot is located between the second engaging annular slot and the external annular slot; and a second engaging ring (60) inserted into the second engaging annular slot; a socket (30) inserted over the first end of the main body and having a conic slot (31) located on an interior of a first socket end, a diameter of the interior of a second socket end is larger than a diameter of the first socket end forming an accommodation (32); and a spring element (40) is located in the accommodation and engaging the first engaging ring, the first engaging ring is located between the spring element and the second engaging ring.

Other embodiments of the present invention include: the main body is a hollow sleeve having a uniform external diameter and an internal through hole.

The first primary reference to Lin teaches a magnetic connecting tube having a main body (20) having an engaging hole (21), a slot (23), and an engaging groove (24); an engaging element (70) inserted into the a slot (23); a fastening ring (50) inserted into the engaging groove (24); and a spring element (40).

Lin does not teach an engaging element ((70)) inserted into the external annular slot and being a semicircular ring having an engaging face protruding into the internal hole and selectively engaging a V-shaped indentation in the screwdriver head; a second engaging annular slot (25) located between the first engaging annular slot and the insertion rod; the first engaging annular slot is located between the second engaging annular slot and the external annular slot; a second engaging ring (60) inserted into the second engaging annular slot; nor does Lin teach the first engaging ring is located between the spring element and the second engaging ring.

The secondary reference to Jore teaches a cylindrical sleeve (38a); and a C-shaped hook spring (52) with a force hook (54).

Jore does not teach a second engaging annular slot (25) located between the first engaging annular slot and the insertion rod; the first engaging annular slot is located between the second engaging annular slot and the external annular slot; a second engaging ring (60) inserted into the second engaging annular slot; nor does Jore teach the first engaging ring is located between the spring element and the second engaging ring.

The secondary reference to Fan-Chiang et al. teaches a bit quick release device having a housing (10) having a first groove (121) on an interior thereof, a second groove (122) with a ring (19), and a stop ring (31); a spring (30); and a locking bead (20).

Fan-Chiang et al. do not teach an engaging element ((70)) inserted into the external annular slot and being a semicircular ring having an engaging face protruding into the internal hole and selectively engaging a V-shaped indentation in the screwdriver head; a second engaging annular slot (25) located between the first engaging annular slot and the insertion rod; the first engaging annular slot is located between the second engaging annular slot and the external annular slot; nor do Fan-Chiang et al. teach the first engaging ring is located between the spring element and the second engaging ring.

The second primary reference to Wang teaches a mounting arrangement for a hand drill having transmission shaft (1) having a locating groove (11) with a stop member (2), and an annular groove (12) with a C-shaped clamping ring (3); and a compression spring (4).

Wang does not teach a second engaging annular slot (25) located between the first engaging annular slot and the insertion rod; the first engaging annular slot is located between the second engaging annular slot and the external annular slot; a second engaging ring (60) inserted into the second engaging annular slot; nor does Wang teach the first engaging ring is located between the spring element and the second engaging ring.

Even if the teachings of Lin, Jore, Fan-Chiang et al. and Wang were combined, as suggested by the Examiner, the resultant combination does not suggest: a second engaging annular slot (25) located between the first engaging annular slot and the insertion rod; the first engaging annular slot is located between

the second engaging annular slot and the external annular slot; nor does the combination suggest the first engaging ring is located between the spring element and the second engaging ring.

It is a basic principle of U.S. patent law that it is improper to arbitrarily pick and choose prior art patents and combine selected portions of the selected patents on the basis of Applicant's disclosure to create a hypothetical combination which allegedly renders a claim obvious, unless there is some direction in the selected prior art patents to combine the selected teachings in a manner so as to negate the patentability of the claimed subject matter. This principle was enunciated over 40 years ago by the Court of Customs and Patent Appeals in In re Rothermel and Waddell, 125 USPQ 328 (CCPA 1960) wherein the court stated, at page 331:

The examiner and the board in rejecting the appealed claims did so by what appears to us to be a piecemeal reconstruction of the prior art patents in the light of appellants' disclosure. ... It is easy now to attribute to this prior art the knowledge which was first made available by appellants and then to assume that it would have been obvious to one having the ordinary skill in the art to make these suggested reconstructions. While such a reconstruction of the art may be an alluring way to rationalize a rejection of the claims, it is not the type of rejection which the statute authorizes.

The same conclusion was later reached by the Court of Appeals for the Federal Circuit in Orthopedic Equipment Company Inc. v. United States, 217 USPQ 193 (Fed.Cir. 1983). In that decision, the court stated, at page 199:

As has been previously explained, the available art shows each of the elements of the claims in suit. Armed with this information, would it then be non-obvious to this person of ordinary skill in the art to coordinate these elements in the same manner as the claims in suit? The difficulty which attaches to all honest attempts to answer this question can be attributed to the strong temptation to rely on hindsight while undertaking this evaluation. It is wrong to use the patent in suit as a guide through the maze of prior art references,

combining the right references in the right way so as to achieve the result of the claims in suit. Monday morning quarterbacking is quite improper when resolving the question of non-obviousness in a court of law.

In In re Geiger, 2 USPQ2d, 1276 (Fed.Cir. 1987) the court stated, at page 1278:

We agree with appellant that the PTO has failed to establish a *prima facie* case of obviousness. Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching suggestion or incentive supporting the combination.

Applicant submits that there is not the slightest suggestion in either Lin, Jore, Fan-Chiang et al. or Wang that their respective teachings may be combined as suggested by the Examiner. Case law is clear that, absent any such teaching or suggestion in the prior art, such a combination cannot be made under 35 U.S.C. § 103.

Neither Lin, Jore, Fan-Chiang et al. nor Wang disclose, or suggest a modification of their specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Applicant hereby respectfully submits that no combination of the cited prior art renders obvious Applicant's new claims.

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Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

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By: _____


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